



General Assembly

Substitute Bill No. 5689

February Session, 2006

* _____ HB05689ET _____ 031406 _____ *

**AN ACT CONCERNING REVISIONS TO PROVISIONS AFFECTING
ELECTRIC DISTRIBUTION COMPANIES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (b) of section 16a-7c of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July*
3 *1, 2006*):

4 (b) On or after December 1, 2004, not later than fifteen days after the
5 filing of an application pursuant to subdivision (1) of subsection (a) of
6 section 16-50i, as amended, except for an application for a facility
7 described in subdivision (5) or (6) of subsection (a) of section 16-50i, as
8 amended, or a facility described in subdivision (4) of subsection (a) of
9 said section 16-50i that is not part of a project that includes a facility
10 described in subdivision (1) of subsection (a) of said section 16-50i with
11 a voltage of three hundred forty-five kilovolts or more, the Connecticut
12 Energy Advisory Board shall issue a request-for-proposal to seek
13 alternative solutions to the need that will be addressed by the
14 proposed facility in such application. Such request-for-proposal shall,
15 where relevant, solicit proposals that include distributed generation or
16 energy efficiency measures. The board shall publish such request-for-
17 proposal in one or more newspapers or periodicals, as selected by the
18 board.

19 Sec. 2. Subdivision (2) of subsection (a) of section 16-50l of the

20 general statutes is repealed and the following is substituted in lieu
21 thereof (*Effective July 1, 2006*):

22 (2) On or after December 1, 2004, the filing of an application
23 pursuant to subdivision (1) of this subsection shall initiate the request-
24 for-proposal process, except for an application for a facility described
25 in subdivision (5) or (6) of subsection (a) of section 16-50i, as amended,
26 or a facility described in subdivision (4) of subsection (a) of said section
27 16-50i that is not part of a project that includes a facility described in
28 subdivision (1) of subsection (a) of said section 16-50i with a voltage of
29 three hundred forty-five kilovolts or more.

30 Sec. 3. Section 16-243e of the general statutes is repealed and the
31 following is substituted in lieu thereof (*Effective July 1, 2006*):

32 [(a) Any electric company, as defined in section 16-1, purchasing
33 electricity generated by a resources recovery facility, as defined in
34 section 22a-260, owned by, or operated by or for the benefit of, a
35 municipality or municipalities, shall enter into a contract with the
36 owner of such facility requiring the electric company to purchase all of
37 the electricity generated at such facility from waste which originated in
38 the franchise area of the electric company, for a period beginning on
39 the date that the facility begins generating electricity and having a
40 duration of not less than twenty years, at the same rate that the electric
41 company charges the municipality or municipalities for electricity.]

42 [(b)] Not later than April 1, 2000, the department shall determine the
43 rate paid for electricity generated at [the facility] a resources recovery
44 facility, as defined in section 22a-260, owned by, or operated by or for
45 the benefit of, a municipality or municipalities from waste that
46 originated within [the] an electric company's franchise area and that
47 was purchased under [each] a contract between an electric distribution
48 company and a resource recovery facility for the purchase of electricity
49 generated by the facility entered into [pursuant to subsection (a) of this
50 section] during calendar year 1999. Not later than October 1, 2000, and
51 annually thereafter, the department shall calculate the difference

52 between the amount paid by the successor electric distribution
 53 company pursuant to each such contract in effect during the preceding
 54 fiscal year for electricity generated at the facility from waste that
 55 originated within such franchise area and the amount that would have
 56 been paid had the company been obligated to pay the rate in effect
 57 during calendar year 1999, as determined by the department. The
 58 difference, if positive, shall be recovered through the systems benefits
 59 charge established under section 16-245l, as amended, and remitted to
 60 the regional resource recovery authority acting on behalf of member
 61 municipalities.

62 Sec. 4. (NEW) (*Effective July 1, 2006*) Notwithstanding any limitation
 63 imposed by its charter, each domestic electric company is authorized
 64 and empowered to generate and transmit electric energy, and to
 65 acquire utility facilities necessary or convenient for the purposes of its
 66 electric utility business or undivided interests therein and to operate
 67 the same, anywhere within or without this state, provided nothing in
 68 this section shall be construed to authorize such a company to sell
 69 electric energy in this state to any person, or within any area, except as
 70 otherwise authorized by its charter or the general statutes. For
 71 purposes of this section, "domestic electric company" means an electric
 72 company or electric distribution company, as defined in section 16-1 of
 73 the 2006 supplement to the general statutes, any membership electric
 74 cooperative organized under chapter 597 and any municipal electric
 75 utility or municipal electric energy cooperative, as defined respectively
 76 in section 7-233b of the general statutes that has been chartered by or
 77 organized or constituted within or under the laws of this state.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2006</i>	16a-7c(b)
Sec. 2	<i>July 1, 2006</i>	16-50l(a)(2)
Sec. 3	<i>July 1, 2006</i>	16-243e
Sec. 4	<i>July 1, 2006</i>	New section

ET *Joint Favorable Subst.*